

**EVIDENTIARY HEARING ON  
PLAINTIFF MOTION FOR PRELIMINARY  
INJUNCTION MINUTE SHEET,**

CASE NO. 05-cv-529-GJF-SAJ

DATE: 2-19,20, 21,22, 3-3,7,10,11 &12-2008 STYLE: State of Oklahoma, et al vs Tyson Food, Inc., et al

JUDGE Gregory K. Frizzell Deputy H. Overton Reporter Glen Dorrough

Plaintiff Counsel Drew Edmonson, Louis Bullock, Rich Garren, Trevor Hammons, David Riggs, Fred Baker, David Page, Sharon Gentry, Bob Nance, Clair Xidis, Daniel Lennington, Pltf Miles Tolbert Present

Defendant Counsel Pat Ryan, Robert George, Jay Jorgensen, Bob Sanders, Woody Bassett, James Graves, Paul Thompson, John Elrod, Vicki Bronson, Scot McDaniel, Nicole Longwell, Philip Hixon, John Tucker, Leslie Southerland, Del Ehrich, Bruce Jones; Bob Redemann Co. Reps for Tyson - Al Gonzalez, Stee Patrick, Kevin Igli & Archie Schaffer; Co. Rep Simmons Foods - Mark Simmons; Co. Rep Peterson Farms - Blake Evans; Co. Rep Cargill - Mark Quail

Minutes:

**2-19-08**

9:30 - 10:10 Pltf mot limine #1538 discussed, Mot. Denied.  
Pltf mot for leave to suppl. data #1557 - arguments made, Motion Denied.  
Pltf mot limine to exclude Deft Experts #1577 - Deferred  
10:10 - 11:10 Opening Statements re: Pltf mot. Plem Inj #1373  
11:15 - 12:00 Pltf case  
1:15 - 3:05 Pltf case, Defts move to strike witness Dr. Barry Winn, mot is denied.  
3:15 - 5:35 Pltf case, resume tomorrow at 9:00 a.m.

**2-20-08**

9:00 - 11:05 Deft Willowbrook Farms not present or rep & has filed a notice to that effect. Cont.  
Pltf case  
11:20 - 12:00 Pltf case  
1:15 - 3:00 Pltf case, schedule discussed  
3:10 - 5:30 Pltf case

**2-21-08**

9:05 - 9:15 Record made re: evid. (Exhibits) all exhibits are admitted by agreement that have been referred to in this record.  
9:15 - 10:55 Pltf case, Pltf offer ans to Interrog #1236, 1237,1238,1239,1241, 1242 & 1243  
11:15 - 12:25 Pltf case  
1:30 - 3:05 Pltf case  
3:30 - 6:10 Pltf case  
6:20 - 6:35 Pltf case, Exhibits discussed, Deft exhibit list marked Courts Exh. #1

**2-22-08**

8:30 - 10:00 Pltf case  
10:05 - 11:40 Pltf case, record re Pltf exh. 364  
11:50 - 12:30 Pltf case, record re: Pltf exh. 447  
1:00 - 1:15 Pltf case, Dkt #1531, record re: Deft Cargill & Cargill Turkey, Pltf rests, Subject to calling Dr. Lawrance out of turn.  
1:15 - 2:40 Deft case.  
2:55 4:20 Deft case, resume 3-3-08 at 9:00 a.m.

**3-3-08**

9:05 - 10:35 Pltf case out of order  
10:45 0 11:50 Pltf case out of order  
11:50 -11:55 Deft case, , responses to Interrog #5 placed in record.  
11:55 - 12:00 Pltf rests, Defts move R-50 ? On pltf mot for prel inj.  
1:30 - 1:55 Arguments re: Daubert & Defts mot R-50 on Pltf mot for prel inj.  
1:55 - 3:00 Defts case  
3:10 - 5 :00 Defts case

**3-7-08**

9:00 10:40 Defts case, sched discussed  
10:55 - 12:10 Defts case  
1:40 - 3:40 Defts case.  
3:50 - 6:15 Defts case, Pltf obj to Dr. Dicks testimony, arguments made, O.R.

**3-10-08**

9:05 - 10:45 Defts case  
10:55 - 12:15 Defts case  
1:45 - 3:10 Defts case  
3:40 - 5:15 Defts case

**3-11-08**

9:00 - 9:05 Defts case  
9:15 - 10:50 Defts case  
11:05 - 12:00 Defts case  
1:35 - 3:20 Defts case, Closing discussed, Suppl to record w/Deft Simmons Contract.  
3:40 - 5:20 Defts case, Defts rest. Closing an hour a side 3-12-08 at 1:30 p.m.

**3-12-08**

1:30 - 3:40 Closing arguments, Parties will submit agreed sets of admitted exhibits within a week  
Matter Under Advisement.